

UNITED STATES DISTRICT COURT  
for the

Western District of North Carolina

United States of America )  
v. )  
JASON LAVELL FEWELL ) Case No: 3:02CR00152-010  
Date of Previous Judgment: 1/30/2004 ) USM No: 19061-058  
(Use Date of Last Amended Judgment if Applicable) ) Defendant's Attorney

**Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)**

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

**IT IS ORDERED** that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 151 (Cts. 1 & 28) months **is reduced to** 122 months (Cts. 1&28).

**I. COURT DETERMINATION OF GUIDELINE RANGE** (Prior to Any Departures)

Previous Offense Level: 37 Amended Offense Level: 35  
Criminal History Category: III Criminal History Category: III  
Previous Guideline Range: 262 to 327 months Amended Guideline Range: 210 to 262 months

**II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE**

- ☐ The reduced sentence is within the amended guideline range.  
☒ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.  
☐ Other \*The defendant is also serving a consecutive sentence of 60 months in Count Twenty-Nine for a violation of 18 U.S.C. § 924(c).

**III. ADDITIONAL COMMENTS**


Upon release from imprisonment, and absent a residential plan accepted by the U.S. Probation Officer prior to release from incarceration, it is ordered that as a condition of supervised release the defendant shall submit to the local Residential Reentry Center for a period not to exceed 90 days, with work release, at the direction of the U.S. Probation

Except as provided above, all provisions of the judgment dated 1/30/2004 shall remain in effect.

**IT IS SO ORDERED.**

Order Date: June 9, 2009

Effective Date: \_\_\_\_\_  
(if different from order)

  
Frank D. Whitney  
United States District Judge

